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Number of Pages (including this page)

Date: May 25, 2005

To: Trinh, Hoa B.-2814

Location: United States Patent and Trademark Office

Fax No.:

From: James A. Lamb - 38,529

Subject: 10/745,589 - Dunn et al.

Batch No.

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**MESSAGE:**

Enclosed herewith, please find a Restriction Election for filing in the below-identified application.

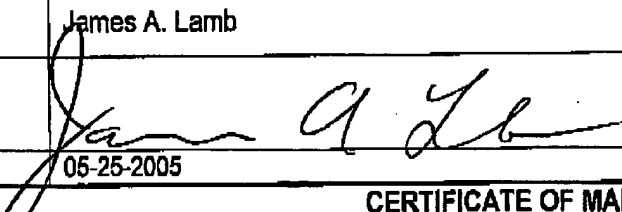
**PLEASE GIVE THESE PAPERS TO:****EXAMINER: Trinh, Hoa B.****GROUP ART UNIT: 2814****SERIAL NO.: 10/745,589****FILED: 12/22/2003****INVENTOR: DUNN ET AL.***Handwritten:*  
HWD  
For verification

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>		Application Number		10/745,589
		Filing Date		12/22/2003
		First Named Inventor		Dunn et al.
		Group Art Unit		2814
		Examiner Name		Trinh, Hoa B.
Total Number of Pages in this Submission		Attorney Docket Number		CML01206AT

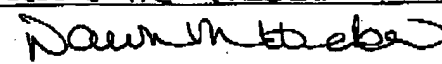
  

ENCLOSURES		(check all that apply)
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Response to Restriction Requirement <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> RCE
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	James A. Lamb	Registration No.	38,529
Signature			
Date	05-25-2005		

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on the date listed below:			
Typed or printed name	Dawn M Hebein		
Signature		Date	May 25, 2005

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MAY 25 2005

DOCKET NO.: CML01206AT

## UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) Dunn et al.  
APPLN. NO.: 10/745,589 10/745,589 /P  
FILED: 12/22/2003  
TITLE: TWO LAYER PATTERNED RESISTOR

GROUP ART UNIT: 2814  
EXAMINER: Trinh, Hoa B.

05/11/2005

## Certificate of Transmittal under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office.

on 05/25/2005

May 25, 2005

*Dawn M. Hebin*  
Signature

Dawn M. Hebin  
Printed Name of Person Signing Certificate

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

This paper is in response to the restriction requirement in the Office Action mailed 05/11/2005.

REMARKS

In response to the restriction requirement mailed on 5/11/2005, applicants elect Group II, claims 7-15 with traverse. Any fees should be charged to deposit account 502117.

Applicants respectfully traverse the Examiner's argument for the restriction, for the following reasons.

Examiner states: "...the product can be made by another and materially different process such that the process includes the step of etching two conductive layers to form conductive end terminations on the substrate, instead of patterning the conductive end terminations."

The well known meaning of "patterning" to those of ordinary skill in the art of fabricating electronic circuits on substrates, as used in applicants' claimed step of "patterning two conductive end terminations on the substrate", when applied to the fabrication of conductive terminations by etching includes the sub-steps of both lithography and etching.

This meaning is further supported by the first definition of the transitive verb "pattern" that is shown below, taken from The American Heritage® Dictionary of the English Language: Fourth Edition, 2000, which is "to make, mold, or design by following a pattern".

By this definition and by the meaning that is well known to those of ordinary skill in the art of fabricating electronic circuits on substrates, other processes used to form conductive end terminations or resistor patterns necessarily have a patterning step.

## pattern

SYLLABICATION: pat-tern

PRONUNCIATION: ˈpæ.t̬ərn

NOUN: 1a. A model or original used as an archetype. b. A person or thing considered worthy of imitation. 2. A plan, diagram, or model to be followed in making things: *a dress pattern*. See synonyms at ideal. 3. A representative sample; a specimen. 4a. An artistic or decorative design: *a paisley pattern*. See synonyms at figure. b. A design of natural or accidental origin: *patterns of bird formations*. 5. A consistent, characteristic form, style, or method, as: a. A composite of traits or features characteristic of an individual or a group: *one's pattern of behavior*. b. Form and style in an artistic work or body of artistic works. 6a. The configuration of gunshots upon a target that is used as an indication of skill in shooting. b. The distribution and spread, around a targeted region, of spent shrapnel, bomb fragments, or shot from a shotgun. 7. Enough material to make a complete garment. 8. A test pattern. 9. The flight path of an aircraft about to land: *a flight pattern*. 10. Football A pass pattern.

VERB: Inflected forms: **pat-terned, pat-tern-ing, pat-terns**

TRANSITIVE 1. To make, mold, or design by following a pattern: *We patterned this plan on the previous one. My daughter patterned her military career after her father's*. 2. To cover or ornament with a design or pattern.

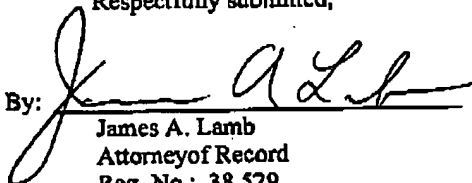
INTRANSITIVE To make a pattern.  
VERB:

ETYMOLOGY: Middle English *patron*, from Old French. See patron.

### SEND CORRESPONDENCE TO:

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Respectfully submitted,

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